

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Shinya Shirasaki et al.

Serial No.:

10/598,523

Filed:

September 1, 2006

For: Emulsion Composition For Silicone
Rubber Sponge, Process For Producing
The Same, And Process For Producing
Silicone Rubber Sponge

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Docket No.:

DC10023US(71,051-069)

Group Art Unit:

unknown

Confirmation No.:

6866

I hereby certify that the enclosed Information Disclosure Statement is being transmitted via EFS transmission to the Commissioner of Patents, PO BOX 1450, Alexandria, VA 22313-1450, on the date shown below.

06/19/07
Date

/Sandra Barry/
Sandra Barry

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the patentability and/or the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability and/or examination, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

- ☒ Submitted herewith is Form PTO/SB/08a listing patents, publications, or other information for consideration by the Office.

COPIES PROVIDED:

- ☒ Legible copies of all items listed on Form PTO/SB/08a accompany this Information Disclosure Statement, except copies of U.S. patents, U.S. patent application publications, copies of U.S. applications that were filed on or after June 30, 2003, and copies of U.S. applications that were filed before June 30, 2003 that are available in the Image File Wrapper System.
- ☐ Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial No. [____], filed on [____]. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /L.F./

- ☐ In accordance with 37 C.F.R. §1.98(c), a copy of only [] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO/SB/08a:

FOREIGN LANGUAGE DOCUMENTS

- ☐ There are no foreign language documents listed on Form PTO/SB/08a.
- ☒ English language abstract for the following non-English references are enclosed:

<u>Foreign Patent Document</u>	<u>Publication Date</u>	<u>Name of Patentee or Applicant of Cited Document</u>
JP 5070692	03/23/1993	Buke et al.
JP 5209080	08/20/1993	Tsuji Yuichi et al.
JP 7247436	09/26/1995	Kazuo et.
JP 11130963	05/18/1999	Masanari
JP 54135865	10/22/1979	Modeitsuku
JP 59012830	01/23/1984	Sanzu
JP 59012832	01/23/1984	Jiyonson
JP 61103945	05/22/1986	Gureibaa et al.
JP 61108640	05/27/1986	Bauman et al.
JP 6207038	07/26/1994	Mashiyuberugaa et al.
JP 6287348	10/11/1994	Tadashi et al.
JP 2002114860	04/16/2002	Makoto et al.
JP 2004091569	03/25/2004	Koichi et al.

- ☒ Submitted herewith is an English translation of the following foreign language patents, publications or information or of portions of those patents, publications or information considered to be material:

Foreign Patent Document
JP 2004-143332

- ☒ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☒ The following foreign language documents are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith:

<u>Cited Art</u>	<u>English Equivalent</u>
JP 5070692	US 5,153,231
JP 5209080	US 5,246,973
JP 7247436	US 5,135,960
JP 54135865	US 4,189,545
JP 59012830	US 4,473,667
JP 59012832	US 4,391,921
JP 61103945	US 4,572,917
JP 61108640	US 4,559,369
JP 6207038	US 5,332,762
JP 6287348	EP 0 522 585

- ☐ Submitted herewith is an English language version of a PCT search report listing information not in the English language and indicating the degree of relevancy found by the International Bureau of WIPO, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.
- ☒ A concise explanation of the relevance of the following listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:

Foreign Patent

<u>Document</u>	<u>Explanation of Relevance</u>
JP 11130963	The relevancy of this document as presently understood is obtained from the English language abstract which indicates that this document discloses an expandable polyorganosiloxane composition and foam provided by expanding the composition, wherein the composition is prepared by compounding a particular polyorganosiloxane and at least one Si-bonded phenyl group with a particular polyorganohydrogensiloxane, a platinum catalyst, and a mono- or poly-hydric alcohol.
JP 2002114860	The relevancy of this document as presently understood is obtained from the English language abstract which indicates that this document discloses a polyorganosiloxane expandable material and foam produced therefrom, wherein the polyorganosiloxane expandable material comprises an alkenyl group-containing polyorganosiloxane, a combination of polyorganohydrogensiloxane with a platinum compound or organic peroxide, absorptive polymer powder and water.
JP 2004091569	This document was cited by the International Searching Authority in the International Search Report as a Category "A, E" document and its relevance as presently understood is obtained from the English language abstract which indicates that this document discloses a silicone foam and a method for producing the foam, the method generally including obtaining a water-in-oil type emulsion curing raw material and heating the water-in-oil type emulsion curing raw material to subject it and a hydrogenorganopolysiloxane to an addition reaction to obtain the foam. The water-in-oil type emulsion curing raw material comprises an alkenyl group-containing organopolysiloxane, a surfactant, a hydrogen organopolysiloxane, water, and a platinum group element catalyst.

- ☐ A concise explanation of the relevance of the following listed non-English language information is set forth in the above-identified specification:

CERTIFICATION:

- ☒ The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application and after the mailing date of the first Office Action on the merits, but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:
- ☐ each item of information contained in the Information Disclosure Statement was

cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the Information Disclosure Statement; 37 C.F.R. §1.97(e)(1); **OR**

☐ no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge as the person signing this certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**

☐ Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an Information Disclosure Statement under 37 C.F.R. §1.97(c). If a check is not enclosed, please charge the **\$180.00** IDS submission fee to Howard & Howard Attorneys PC **Deposit Account No. 08-2789**. A duplicate of this paper is enclosed.

☐ The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever occurs first, but is being filed on or **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:

☐ each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**

☐ no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge as the person signing this certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**

☐ Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). If a check is not enclosed, please charge the petition fee of **\$180.00** Howard & Howard Attorneys PC **Deposit Account No. 08-2789**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge Howard & Howard Attorneys PC Deposit Account No. 08-2789 for any additional fees due hereunder.

Respectfully submitted

Reg. No.: **46,295**

June 19, 2007
Date

Customer No. 27305

/David M. LaPrairie/
David M. LaPrairie
Howard & Howard Attorneys PC
The Pinehurst Office Center, Suite 101
39400 Woodward Avenue
Bloomfield Hills, MI 48304-5151
Tel. No.: (248) 723-0442